AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the

application:

1. (Currently Amended) A game machine that is provided with an electrically

rewritable nonvolatile memory having two or more game data backup areas, said game machine

being capable of ~~writing game data into said backup areas,~~ preserving at least some older game

data when attempting to overwrite a game data backup area with latest game data, comprising:

 backup memory area selection programmed logic circuitry ~~to select~~ which selects, as a

write-objective backup area for storing ~~last~~ latest game data, a backup area containing previously

stored game data of oldest writing age among said two or more game data backup areas;

 memory controller for writing the ~~last~~ latest game data to a backup area selected as said

write-objective backup area by said area selector;

 memory write determination programmed logic circuitry configured to determine

whether or not a writing of the ~~last~~ latest game data to said ~~nonvolatile memory is successfully~~

~~performed by said memory controller~~ backup area selected by said backup memory area

selection programmed logic circuitry was successful;

 memory write attempt repeater programmed logic circuitry configured to repeatedly

attempt writing to the write-objective backup area for a predetermined number of attempts if it is

determined by said memory write determination programmed logic circuitry that a writing of the

~~last~~ latest game data ~~is~~ was not successfully performed; and

 writing prohibitor programmed logic circuitry configured to prohibit ~~a writing of the last~~

further attempts of writing the latest game data to said ~~game data backup areas~~ selected writ-

objective backup area and end a game data backup area writing process without storing ~~said last~~

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the latest game data ~~if attempting a writing of said last~~ under conditions wherein an attempt to write the latest game data to said selected write-objective backup area is unsuccessful after said predetermined number of attempts and only a backup area containing older game data from a previous gaming session prior to generating said latest ~~saved immediately before the last~~ game data is available as a write-objective backup area, wherein a failure of a memory element occurring in said electrically rewritable non-volatile memory does not result in a loss of older game data stored in a last remaining available backup area.

2.   (Currently amended) A game machine according to claim 1, wherein said memory write determination programmed logic circuitry includes a historical information storage programmed logic circuitry for recording historical information including information relating to a write age of generated game data, said historical information being included as part of said ~~last~~ latest game data, and for determining an age of said generated game data relative to a write age of other stored game data based on said historical data; and

said backup memory area selection programmed logic circuitry includes an earliest write age selector which, before writing the ~~last~~ latest game data, selects as the write-objective backup area a backup area stored with game data that was written earlier than ~~the last~~ an age of the latest game data based on said write age information.

3.   (Canceled)

4.   (Previously presented) A game machine according to claim 1, further comprising message displaying programmed logic circuitry to display a predetermined alarm message when the writing is prohibited by said writing prohibitor.

5.   (Currently amended) A game data backup control method ~~wherein~~ for preserving previously saved older game data when attempting to overwrite a game data backup area stored ~~game data is written into two or more backup areas~~ in an electrically rewritable storage area of a nonvolatile memory device of ~~connected to~~ a game machine, comprising steps of:

selecting, when ~~last~~ a latest game data is to be stored, a backup area stored with game data having an oldest write age among said two or more backup areas as a write-objective backup area for said last game data;

attempting a writing of said ~~last~~ latest game data to said write-objective backup area selected in said selecting step;

determining whether or not writing of the ~~last~~ latest game data to said ~~nonvolatile memory is~~ backup area selected in said selecting step was successfully performed and, ~~when~~ if it is determined that a writing of the ~~last~~ latest game data ~~is~~ was not successfully performed, repeatedly attempting a writing of said last game data to said selected write-objective backup area for a predetermined number of attempts; and

prohibiting a writing of ~~last~~ said latest game data to said ~~two or more~~ backup areas and ending a game data backup writing process without storing said ~~last~~ latest game data ~~if said attempting a writing of~~ under a condition in which said predetermined number of attempts to write said ~~last~~ latest game data to said selected write-objective backup area ~~is~~ are unsuccessful ~~after said predetermined number of attempts~~ and only a single backup area stored with older game data ~~written immediately before the last~~ from a previous gaming session prior to generating

said latest game data ~~is remaining~~ remains as being selectable by said selecting step, wherein a

failure of a backup area in said electrically rewritable non-volatile memory does not result in a

loss of older game data stored in a last remaining available backup area.

6.   (Currently amended) A game data backup control method according to claim 5,

wherein said attempting a writing of said ~~last~~ latest game data includes attempting a writing of

historical data used for discriminating between relative write ages of previously stored game

data, said historical data being included ~~in~~ as part of said ~~last~~ latest game data.

7.   (Currently amended) A game data backup control method according to claim 6,

wherein said selecting a backup area as a write-objective backup area includes, before writing

~~the last~~ said latest game data, selecting a backup area stored with game data written earlier than

~~the last~~ an age of said latest game data based on the historical data.

8.   (Canceled)

9.   (Previously presented) A game data backup control method according to claim 5,

further comprising:

        displaying a predetermined alarm message when said writing is prohibited by said

prohibiting step.

10.   (Currently amended) A game data backup control method for controlling whether

or not ~~last~~ latest game data is written into designated data storage backup areas in an electrically

rewritable ~~storage area of a~~ nonvolatile memory ~~connected to~~ of a game machine, comprising:

selecting, as a write-objective, a backup area in said non-volatile memory that contains an oldest written game data and which is available for storing said last latest game data; and

canceling writing of said last latest game data into a selected write-objective backup area and prohibiting further writing of last said latest game data into any of said a selected write objective backup areas when area under a condition wherein writing into said selected write-objective backup area is not successfully executable after a predetermined number of repeated attempts and only a backup area containing older game data stored immediately before the last from a previous gaming session prior to generating said latest game data was generated remains available for selection as a write-objective backup area, wherein a failure a selected backup area within the electrically rewritable non-volatile memory device does not result in a loss of older said game data that was stored immediately before generating the last game data is left intact in a last remaining available backup area.

11.   (Currently amended) In a game machine having a nonvolatile memory, said memory including a plurality of electrically rewritable game data backup storage areas, a method of backing up game data, comprising:

generating last latest game data corresponding to a last latest conditions in a game being played;

designating one of said game data backup storage areas that contains an oldest written game data relative to game data written in other backup storage areas as a write-objective target for storing said last latest game data;

canceling writing of said last latest game data into said designated write-objective target backup storage area and prohibiting further attempts at writing into any of said a selected backup

storage ~~areas for backing up of last game data if~~ area under a condition wherein an attempt in

writing to said designated write-objective target backup storage area ~~remains unsuccessful~~ results

in an unsuccessful storage of said latest game data after a predetermined number of repeated

unsuccessful attempts and only a backup storage area that contains older game data that was

stored from a previous gaming session ~~immediately~~ prior to generating said ~~last~~ latest game data

remains available for selecting as a write-objective target; and

causing a display of said game machine to display an error message indicative of an

unsuccessful saving of ~~last~~ said latest game data and/or a broken backup storage memory

condition, wherein a failure of a memory element in said electrically rewritable non-volatile

memory does not result in a loss of older game data stored in a last remaining available backup

area.

Claims 12-22. (Canceled)